

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**RONNIE McDONALD,**

**Petitioner,**

**Civil No: 03-72730**

**Honorable Lawrence P. Zatkoff**

**v.**

**GERALD HOFBAUER,**

**Respondent**

**ORDER**

This matter is before the Court on Petitioner's "Motion for Request for Production of Documents" (Docket #17).

On July 7, 2003, Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 6, 2006, the petition was transferred to the Sixth Circuit Court of Appeals because it was a second (successive) petition for writ of habeas corpus. *See* 28 U.S.C. § 2244(b)(3) (the Sixth Circuit must authorize the filing of a successive petition for writ of habeas corpus). On July 15, 2004, the Sixth Circuit Court of Appeals dismissed Petitioner's application to file a second or successive application for habeas relief. On December 14, 2004, the United States Supreme Court denied Petitioner's petition for writ of certiorari. Petitioner prepared the instant motion on January 16, 2007, because he "has a substantial need for the documents in preparation of [his] motion under 28 U.S.C. 2254 for jurisdictional authorization from the United States Appeals Court Sixth Circuit." This Court, however, lacks jurisdiction to take any action with respect to Petitioner's cause of action insofar as Petitioner seeks to obtain habeas relief. Pursuant to 28 U.S.C. § 2244(b)(3), any relief sought by Petitioner must be authorized by the Sixth Circuit. Therefore, this

Court hereby DENIES Petitioner's instant motion for lack of jurisdiction. In addition, to the extent that Petitioner files any additional document with this Court, such document shall be summarily denied unless Petitioner's case is remanded to this Court.

Accordingly, and for the reasons set forth above, the Court hereby ORDERS that Petitioner's Motion is and shall be DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: September 13, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on September 13, 2007.

s/Marie E. Verlinde  
Case Manager  
(810) 984-3290